

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2005:

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Present

Vote

James S. Burgett, Chairman  
Walter C. Zaremba, Vice Chairman  
Sheila S. Noll  
Kenneth L. Bowman  
Thomas G. Shepperd, Jr.

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO  
AUTHORIZE THE INCLUSION OF A 0.71-ACRE PARCEL OF  
LAND LOCATED AT 1637 PENNIMAN ROAD INTO AN  
APPROVED 1,100-UNIT TIMESHARE RESORT

WHEREAS, King's Creek Holding Co., LLC has submitted Application No. UP-658-05 requesting a Special Use Permit, pursuant to Section 24.1-306 (Category 11, Number 11) of the York County Zoning Ordinance, to authorize a Special Use Permit for the inclusion of a 0.71-acre parcel of land located at 1637 Penniman Road (Route 641) and further identified as Assessor's Parcel No. 11-116 (GPIN# H14d-4599-2268) into an approved 1,100-unit timeshare resort adjacent thereto; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_, 2005, that Application No. UP-658-05 be, and it hereby is, approved to authorize a Special Use Permit for the inclusion of a 0.71-acre parcel of land located at 1637 Penniman Road (Route 641) and further identified as Assessor's Parcel No. 11-116 (GPIN# H14d-4599-2268) into an approved 1,100-unit timeshare resort adjacent thereto:

1. This Special Use Permit shall authorize the inclusion of a 0.71-acre parcel of land located at 1637 Penniman Road (Route 641) and further identified as Assessor's Parcel No. 11-116 (GPIN# H14d-4599-2268) into an approved 1,100-unit timeshare resort adjacent thereto.
2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the County prior to the commencement of any development or land clearing activities on the site. Such site plan shall be in general conformance with the conceptual plan titled "King's Creek Plantation, SPH & Washington Tract Exhibit," prepared by Landmark Design Group and dated January 6, 2005, a copy of which shall remain on file in the Planning Division.
3. On-site parking to serve the development shall be provided at a minimum ratio of 1.3 spaces per dwelling unit.
4. The entire development shall be served by public water and sanitary sewer.
5. The timeshare resort shall consist only of residential units for which the exclusive right of use, possession, or occupancy circulates among various owners or lessees thereof in accordance with a fixed time schedule, which may vary within certain specified time periods, on a periodically recurring basis.
6. Permanent year-round occupancy of any units by any individual or family other than that of a resident manager or caretaker and his or her family shall not be permitted.
7. All agreements and restrictions pertaining to ownership and maintenance of common areas on the site shall comply fully with Section 55-360 et seq., Code of Virginia, the Virginia Real Estate Time-Share Act. Certification by the developer's legal counsel that the referenced standards have been met shall be submitted with development plans.
8. All streets, drives, and parking areas in the development shall be constructed to VDOT cross-sectional street standards.
9. The existing driveway on Penniman Road shall be demolished and no vehicular access to Penniman Road shall be permitted on the subject parcel.

10. The applicant shall be responsible for compliance with the regulations in Section 24.1-115(b)(6) of the Zoning Ordinance that pertain to the recordation of this resolution in the office of the Clerk of the Circuit Court.